App.F.IX-4

1925.

File No. 297-25

Previous References

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for June 1926

SUBJECT

Recommends sanction for the payment of the three due instalments with the stipulated interest as they fall due in respect of the loans alleged to have been contracted by the late Swamiji of Sri Shivaratrikatte Mutt with the Canara Bank.—

G.O. dt 16 Aug 10

Dated 29.6.26

To the Secy. Comr & Comptr

The Secy. Comr's recommendation is sanctioned

94—GPB—40,000—17-12-25

(2)

App. F. III—2]

'92 5.

GENERAL AND REVENUE SECRETARIAT.

(Inuzrai)

NOTES.

File No. 297/1925

FILE HEADING.

Loan of Rs 16000/ alleged to have been contracted by the late Inamy of Sri Bhimanakatte mutt was under Govt. management, with the Jamdi Family Bank, Trichakallu.

From

The Inuz. Commr

No. C. 1176 Dated 29.4.26 Received 3.5.26

Diary No.	Enclos.	Spare Copies	Serial No.
1282	1+2		1

BRIEF ABSTRACT OF LETTER.

Recommends Sanction for the payment of the over-due instalments with the stipulated interest and also the future ones as they fall due in respect of the said loan.

NOTES AND ORDERS.

Two corrections of Inuz. J. Nos 59-22 are submitted. The question of the payment of this loan had come up before Govt. previously, and attention is invited to the opinion of the Legal Secretary of

NOTES—First Sheet.

Serial No.

on the Subject. He has stated that in a case of this nature, it is advisable that the matter should be left to the permanent Successor to make enquiries regarding the legal necessity for the loan and take such action as he will think proper. The Mez. Comr was informed accordingly. (Vide letter no. 1699 dt 21st May 1926). The Mez. Comr again presses the matter, and has informed that the matter might be left to the new Swamy (no. 1489 dt 14.6.25).

As the new Swamy is a minor and as the properties in the Mysore State are to continue under Govt. management, the Mez. Comr recommends payment of the over-due instalments with the stipulated interest and also the future ones.

May the Legal Secretary be consulted as to the action to be taken now in the matter? A copy of the documents said to have been executed with the Javali family is on the file submitted for orders.

BV 19.5.26. The L.L. Secy may be consulted, again, in the matter, on the M.C's communication.

19/5/26

Rev. Secy 19/5/26

General and Revenue Secretariat

File No. 297-15 of 192

Serial No.

Under the circumstances explained by the Deputy Commissioner in his letter dated 15th April it seems best to pay the instalments as they fall due ~~and~~

CRoss

To Legal Legislative secretary for opinion with comments

20.5.26

20/5

25/5.

Subd 21/5

Reference is invited to the previous opinion (H.C. Lahey)

22/5

No 166

7) In all these cases D.C who is managing the affairs has to be satisfied as to the binding nature of the debt As he says that he is satisfied, he may pay the instalments to

Rev Sect with Comps

25-5

25-5

2nd Member)

CRoss 27.5.26

Submitted to Rev. Sect. 26/5

365 28/5

8) orders approving of the recommendation of the MC may be issued.

Mull 1.6.26

9) Secy, Govt

10) D/S. G.O. Subject for approval. 26.6.26 1.6.26. 21/6/26 Rev Sec'y

NOTE—Contd. fol.

WD 01264—GPB—40,000—17-12-25

File No. of 192

Serial No.	
	12) Draft approved majissme Govt 16.6.26
2.	Jo, Mus Comm & Comptr No 1609-10 dy 9.6.26. Sanctions the Mus Comm's recommendation

NOTE—Contn Sheet

Office of the Mzrai Commissioner in Mysore.

Dated Bangalore, 28th April 1926.

From

C. S. Balasundaram Iyer, Esq., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

GEN. & REV. SECTT. 3-MAY 1926 MUZRAI

D/28.

Mus 29/1-25-P

To

GEN. & REV. SECTT. Bg. Mus 1 MAY 1926 G. D. SECTION.

P. Srinivasa Iyengar, Esq., B.A., B.L.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Bangalore.

Sir,

Adverting to your letter No.143/M.F.J-2 dated 14th April 1926 regarding the payment of the instalments towards the liquidation of the loan contracted by the late Swamiyalu of the Marakatte Muthathi the Jangli Family Trust of Hathihalli, I have the honor to forward herewith copy of letter H.C.No.300/2-26 dated the 15th April 1926 from the Deputy Commissioner, Shimoga District intimating that the Bank authorities have issued notice for the immediate payment of the said loan of Rs.7000/- (D) and that it would not be in the interest of the institution to postpone the payments of the instalments till the Court Ward becomes major and the management is handed over to him.

2. As Government have undertaken to make good the deficiency in the Ward's minority and as the Court is reported to be of a hostile nature, I have the honor to suggest that the Deputy Commissioner and the Amildar might be asked to see that the amount may be secured to the Ward's estate by the sale of the stipulated interest and also the future interest as they fall due.

3. The file of correspondence is enclosed.

I am, Sir,

Your obedient servant,

CS Balasundaramayya

MM

Letter No.H.C.377/25-26 dated 15th April 1926 from the Deputy Commissioner, Shimoga District to the Hon'ble Commissioner, [illegible].

"I have the honor to invite reference to correspondence ending with my letter No.C.J.1052 Rev.22-23 dated the 4th May 1923, proposing the payment of the instalments of the loan of Rs.14,000/- contracted by the late Swamy of Sri Rahutil Mutha with the Jawali Family Bank, Tirthahalli and to state that Government in their letter No.148-Mur.50-22-1 dated the 14th April 1924 copy of which was forwarded with your letter No. C.1093-22-23 dated 17-4-1924, stated "that the matter may be left in the discretion of the new Swamiji who will, it is hoped be appointed in a few days in accordance with Government Order". In G.O. C.1[illegible]-Mur.50-23-25 dated 21st July 1925 the Government have approved of the appointment of Sri Rahutil as the Swamy of the Mutha and he has been duly installed under the title[illegible] name of Sri Rahutil Lakshmi Narayana. But His Holiness in a minute on Government Order No.614-15 dated 23-25-1 dated 21st November 1925, have been pleased to call upon the Inam Commissioner's recommendations that all the Mutha properties within the State be continued to be under Government management. It has therefore become necessary to pass final orders in the matter of the payment of the instalments due to the Jawali Family Bank.

2. In my above quoted letter on the subject No.C.C.1052 of 1922-23 dated 24-4-1923, I have made a detailed report about this debt and its payment. I again enclose for reference the records pertaining with the Tirthahalli Sub Division Officer's report No.H.C.74 of 1922-23 dated 25-3-1926 as also the notice dated 20-2-1926 which I have received in this office from the Jawali Family Bank Limited. It will be seen from the records that out of a total debt of Rs.14,000 sum of Rs.7000/- has been paid up till now. On Magha Bahula Amavasya of every year a sum of Rs.1000/- is to be paid and the entire debt discharged by such annual payments. The sum of Rs.7000/- is said to have been so paid. The instalments due on Magha Bahula Amavasya Bal-thaksai (23-2-1923) and Vrudhana (19-2-1926) have not been paid. On default of payment of the instalment on the due date, the interest on such instalments at 9% per annum will have to be paid till the date of payment. Such instalment and the interest thereon has to be paid at least within the period mentioned

instalment falls due. Failure to do so entitles
full amount of the balance of the debt. The terms
appear to be to the above effect. The Bank has now issued
to say that if the balance of the debt, namely 7000/- is not
within the 30th April 1926 they would be obliged to take the matter
into the Civil Court. It might be possible to induce the Bank to
accept the two instalments due with the stipulated interest and to
agree to receive the future instalments on the dates on which they
fall due. The funds at the credit of the institution at present
is more than Rs.14,000/- Though the balance of the debt might be
fully discharged out of the available funds still it would be to
the benefit of the institution to make payments in instalments
as they carry no interest.

7. In my previous letters I have stated that this debt is one
which ought to be discharged personally. I am of opinion that it
would not be in the interest of the institution to post-pone the
payments of the instalments till the present Swamy becomes a Major
and the management is handed over to him. In that case the --
Government will have to file a Civil suit. I would therefore sub-
mit that sanction might be accorded to the payment of the instalments
due with the stipulated interest as also the payment of the future
instalments, as they fall due. I solicit the favour of early orders
in the matter."

"C o p y"

for Munsif Commissioner. 29/4/26

SUBJECT.....

Diary No. of letter replied to.....

SECTION Mucl

FILE No. 197-1

SERIAL No. 2

Muzrai Secretariat

( )

the 192 .

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue .. 24.2.26

Signed by.. [illegible]

Read—

Conf no 1489 – Muz 5922 dy 14-4-1925 to the Muz Comr directing that the matter relating to the payt of the balance of the loan of Rs 14000/ contracted by late Swamy of Sri Bhimeswara Katte Mutt in the Tirthahalli Taluk with the Janaki Family Bankers, Tirthahalli, be left for the disposal of the new Swamiji

Order Thereon No.

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette. English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

neu no. c. 1176 of 29
April 1926 from the mag.
Com^r in my Sove. Reporting
that it would not be
in the interest of the inst^rs
to postpone the payments
of the instalments till the
present drainy becomes
a ~~[illegible]~~ major and
the management is handed
over to him, and recommend-
ing that as Sm^t have
undertaken to manage
the properties of the Mats
during the drainy's
minority and as the Sett.
is reported to be of a
binding nature, Sanction
may be accorded to
the payment of the
over-due instalments
with the stipulated interest

List of enclosures.

Copied by

Examined by

WD 0566—2000—GPB—29-7-22

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation-sheet draft form.)

of the instalments the

and also ~~the future~~

~~one & as they fall~~

~~due~~. fall due in the future

No 1609 Order Thereon

Dms

The Dn. C's recommendation is sanctioned

CPS 7626

4/6 DH) for Rev Secretary

Fig Hdy 4.6.26

Mo Dmez. Com &c, 24 Nov 8

" Com Ptrs.